

MINUTES OF THE OPEN SESSION OF THE ORDINARY COUNCIL MEETING OF THE DEVONPORT CITY COUNCIL HELD IN THE ABERDEEN ROOM, LEVEL 2, paranapple centre, 137 ROOKE STREET, DEVONPORT ON MONDAY 23 OCTOBER 2023 COMMENCING AT 5:30 PM

Meeting	From	To	Time Occupied
Open Session	5:30pm	6:19 pm	49 min
Closed Session	6:24pm	6:27 pm	3 min
Total			52 min

Present

- Cr A Jarman (Mayor)
- Cr S Sheehan (Deputy Mayor)
- Cr G Enniss
- Cr P Hollister
- Cr S Martin
- Cr A Moore
- Cr L Murphy
- Cr D Viney
- Cr J Wilczynski

Council Officers:

- General Manager, M Atkins
- Deputy General Manager, J Griffith
- Executive Manager, K Lunson
- Executive Manager, M Skirving
- Convention & Arts Centre Manager, G Dobson
- Finance Manager, J Jackson
- Executive Coordinator, C Jordan

Audio Recording: All persons in attendance were advised that it is Council policy to record Council meetings, in accordance with Council's Digital Recording Policy. and that the meeting was being live streamed on YouTube. The digital recording of this meeting will be made available to the public on Council's website for a minimum period of six months.

1 APOLOGIES

There were no apologies received.

2 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

3 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

23/207 RESOLUTION

MOVED: Cr Enniss
SECONDED: Cr Martin

That the minutes of the:

- Special Council meeting held on 11 September 2023; and
- Ordinary Council meeting held on 25 September 2023, as previously circulated, be confirmed.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan and Cr Wilczynski
AGAINST: Nil

CARRIED 8 / 0

3.2 PUBLIC QUESTION TIME

3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS

There were no questions raised at prior meeting.

Nil

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

23/208 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Hollister

That Council in relation to the correspondence received from Susanne Ward, Trent Aitken and Sarah Kersey endorse the responses proposed and authorise their release.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan and Cr Wilczynski
AGAINST: Nil

CARRIED 8 / 0

3.2.3 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

Nil

3.3 QUESTIONS ON NOTICE FROM COUNCILLORS

At the time of compilation of the agenda, no questions had been received from Councillors.

Councillor Viney joined the meeting at 5:32pm.

3.4 NOTICES OF MOTION

3.4.1 NOTICE OF MOTION - RESPONSE TO REVELATIONS OF WIDESPREAD HISTORIC AND CONTEMPORARY CHILD SEXUAL ABUSE FROM RECENT COMMISSION OF INQUIRY - CR S MARTIN

23/209 RESOLUTION

MOVED: Cr Martin

SECONDED: Cr Moore

That Council:

show local community leadership and responsiveness to the revelations of widespread historic and contemporary child sexual abuse, as evidenced in the recent Commission of Inquiry hearings and implement as a priority its obligations under the Child and Youth Safe Organisations Framework.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski

AGAINST: Nil

CARRIED 9 / 0

3.4.2 NOTICE OF MOTION - RECORDING OF DECLARATIONS OF INTEREST AT COUNCIL WORKSHOPS - CR S MARTIN

23/210 RESOLUTION

MOVED: Cr Martin

SECONDED: Cr Murphy

That Council, for good governance and transparency, include in its Workshop Notice Agenda an action for Declarations of Interest, and that: -

- Such declarations are recorded
 - through council's associated processes
 - post workshop - on the Workshop Notice Agenda
- Such declarations are declared as outlined by the Local Government Act 1993
 - Councillors
 - General Manager
 - Council staff and management

FOR: Cr Hollister, Cr Martin, Cr Moore, Cr Murphy, Cr Viney and Cr Wilczynski

AGAINST: Cr Ennis, Cr Jarman and Cr Sheehan

CARRIED 6 / 3

4 PLANNING AUTHORITY MATTERS

5 REPORTS

5.1 TENDER REPORT CONTRACT CT0356 KELCEY TIER ROAD RENEWAL

23/211 RESOLUTION

MOVED: Cr Hollister

SECONDED: Cr Sheehan

That Council in relation to Contract CT0356 Kelcey Tier Road Renewal, award the contract to Walters Contracting and:

1. award contract for the tendered sum of \$722,009. (ex. GST);
2. allow for services relocation of \$100,000 (ex. GST);
3. allow a construction contingency of \$216,600 (ex. GST);
4. allow project management and administration costs of \$35,000 (ex. GST); and
5. extend the project scope of works to include road rehabilitation to the east of Ellice Hill Drive in accordance with the tendered schedule of rates and within budget.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 9 / 0

5.2 ADDENDUM TO INSTRUMENT OF DELEGATION FOR GENERAL MANAGER - LEGISLATIVE UPDATES

23/212 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Martin

That Council pursuant to section 22(1) of the *Local Government Act 1993*, and as Planning Authority, pursuant to section 6 of the *Land Use Planning and Approvals Act 1993*, authorise the delegation of the updated functions and powers contained in the Addendum to the Instrument of Delegation for the General Manager.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 9 / 0

5.3 PRIVATE WORKS POLICY

23/213 RESOLUTION

MOVED: Cr Martin
SECONDED: Cr Murphy

That Council adopt the Private Works Policy with immediate effect.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 9 / 0

5.4 DEVONPORT INVESTMENT PROSPECTUS

23/214 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Wilczynski

That Council receive and note this report, including the attached Investment Prospectus, *City of Connection, Invest Devonport*.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 9 / 0

5.5 DON RESERVE ENVIRONMENTAL MANAGEMENT PLAN 2023-28

23/215 RESOLUTION

MOVED: Cr Hollister
SECONDED: Cr Enniss

That Council:

1. note the feedback received during the consultation period on the Don Reserve Environmental Management Plan 2023-28;
2. endorse the Don Reserve Environmental Management Plan 2023-28; and
3. establish a Don Reserve Working Group to guide the Plan's implementation.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 9 / 0

6 INFORMATION

6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING

23/216 RESOLUTION

MOVED: Cr Viney
SECONDED: Cr Moore

That the report advising of Workshop Sessions held since the last Council meeting be received and the information noted.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 9 / 0

6.2 MAYOR'S MONTHLY REPORT

23/217 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Hollister

That the Mayor's monthly report be received and noted.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 9 / 0

6.3 GENERAL MANAGER'S REPORT

23/218 RESOLUTION

MOVED: Cr Sheehan
SECONDED: Cr Wilczynski

That the report of the General Manager be received and noted and Council approve the attached submission in response to the draft Tasmania Fire and Emergency Services Bill.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 9 / 0

6.4 MONTHLY OPERATIONAL REPORT - SEPTEMBER 2023

23/219 RESOLUTION

MOVED: Cr Viney
SECONDED: Cr Sheehan

That Council receive and note the Monthly Operational Report for the period ending 30 September 2023.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 9 / 0

7 CLOSED SESSION

23/220 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Viney

That in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*, the following be dealt with in Closed Session.

Item No	Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
3.1	Confirmation of Closed Minutes – Council Meeting – 25 September 2023	15(2)(g)
3.2	Application for Leave of Absence	15(2)(h)
4.1	Confidential Attachments	15(2)(g)

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 9 / 0

**The Mayor adjourned the meeting at 6.19pm to reconvene in Closed Session at 6.24pm.
The Council moved out of Closed Session at 6.27pm.**

Council resumed in Open Session at 6.27pm.

The Closed Session of Council having met and dealt with its business resolved to report that it had determined the following:

Item No	Matter	Outcome
3.1	Confirmation of Closed Minutes – Council Meeting – 25 September 2023	Confirmed
3.2	Application for Leave of Absence	Granted
4.1	Confidential Attachments	Noted

8 CLOSURE

There being no further business on the agenda the Mayor declared the meeting closed at 6.27pm.

Confirmed - Minutes confirmed 27 November 2023 MIN Refers 23/225



Chairperson